



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 13 2010

REPLY TO THE ATTENTION OF

SE-5J

Sent UPS

EPA Region 5 Records Ctr.



938772

non-responsive

RE: Modern Packaging Site ID # B5XB
General Notice of Potential Liability

Dear [REDACTED]

The United States Environmental Protection Agency has documented the release or threat of release of hazardous substances, pollutants and contaminants into the environment from the above-referenced Site, through a site assessment conducted on June 2, 2010 and is planning to spend public funds to control and investigate these releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 *et seq.* (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (SARA), unless EPA determines that such action will be done properly by a responsible party or parties. Responsible parties under CERCLA include the current and former owners and operators of the Site, and persons who generated the hazardous substances or were involved in the transport, treatment, or disposal of the hazardous substances at the Site. Under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), where EPA uses public funds towards the cleanup of the hazardous substances, responsible parties are liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the Site, including investigation, planning, and enforcement costs.

EPA is currently planning to conduct the following actions at the above-referenced Site:

1. Develop and implement a site-specific Health and Safety Plan, including Air Monitoring Plan and a Site Emergency Contingency Plan;
2. Develop and implement a Site Work Plan and Site Security Plan;

3. Characterize, and remove and properly dispose of drums and containers of hazardous wastes, substances or contaminants from the site;
4. Properly remove already loose and disturbed, or damaged, asbestos containing material from the site;
5. Sample, remove and dispose of any PCB contaminated oil from the transformers remaining on the site;
6. Complete a survey and extent of contamination study of the exterior grounds of the site to verify no buried waste still exists at the site;
7. Transport and dispose of all characterized or identified hazardous substances, pollutants, RCRA/CERCLA in an approved disposal facility, in accordance with U.S. EPA's Off-Site Rule, 40C.F.R. 300.440; and

EPA has received information that you may have owned or operated the Site or generated or transported hazardous substances that were disposed of at the Site. By this letter, EPA notifies you of your potential liability with regard to this matter and encourages you, as a potentially responsible party, to agree to reimburse EPA for costs incurred to date and to voluntarily perform or finance the response activities that EPA has determined or will determine are required at the Site. EPA is willing to discuss with you the entry of an appropriate administrative consent order under which you would perform or finance response activities and reimburse EPA for its costs. If a consent order cannot be promptly concluded, EPA may issue a unilateral order under Section 106 of CERCLA, requiring you to perform specified work. Under Sections 106 and 107 of CERCLA, you may be liable for reimbursement of EPA's costs, for statutory penalties, and for treble damages for noncompliance with such an order.

Because of the conditions described above, EPA believes that response activities at the Site must be initiated as quickly as possible. Therefore, EPA does not intend to utilize the special notice procedures available under Section 122(e) of CERCLA.

As a potentially responsible party, you should notify EPA in writing within seven (7) days of receipt of this letter of your willingness to perform or finance the activities described above and to reimburse EPA for its costs. Your response should be sent to:

William Ryczek Enforcement Specialist
U.S. EPA - Region 5
Enforcement Services Section #1
77 West Jackson Boulevard, SE-5J
Chicago, IL 60604-3590

If EPA does not receive a timely response, EPA will assume that you do not wish to negotiate a resolution of your potential responsibility in connection with the Site and that you have declined any involvement in performing the response activities.


Your response should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in a voluntary cleanup action, or involved in a lawsuit regarding this Site, you should continue such activities as you see fit. This letter is not intended to advise you or direct you to restrict or discontinue any such activities already underway; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

If you need further information regarding this letter, you may contact Peter Felitti of the EPA Office of Regional Counsel at (312) 886-5114.

Due to the nature of the problem at this facility and the attendant legal ramifications, EPA strongly encourages you to submit a written response within the time frame specified herein. We hope you will give this matter your immediate attention.

Sincerely,



 Jason El-Zein, Chief
Emergency Response Branch #1